

II. Remarks

Claims 1-20 were pending in this application. Claims 1-2, 4-5, 7-12 and 14-20 have been rejected, and claims 3, 6 and 13 have been objected to. After this reply, claims 1-20 will be pending.

Reconsideration of the application in view of the following remarks is respectfully requested.

Priority

Together with this reply, Applicants have filed certified copies, translations, and certification of the translations for German patent applications DE 102004042209.5, filed September 1, 2004 and DE 102004048898.3, filed October 6, 2004. Accordingly, Applicants believe that the priority dates for both of these German patent applications are now perfected for this case.

Rejection under 35 U.S.C. § 102

Claims 1-2, 4-5, 7-12, 14-16 and 18-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,475,904 issued to Hofmann, et al. ("Hofmann '904") and under 102(a), (b) and (e) as being anticipated by U.S. Publication by 2005/0184493 issued to Hofmann, et al. ("Hofmann '493"). In view of the remarks contained herein, Applicants respectfully submit that the rejections of claims 1-2, 4-5, 7-12, 14-16 and 18-20 are traversed.

Both Hofmann '493 and '904 have a filing date of January 31, 2005, and respectively published on August 25, 2005 and January 13, 2009. Applicants' application for the present invention claims priority to German patent applications DE 102004042209.5, filed September 1, 2004 and DE 102004048898.3, filed October 6, 2004, both of which have filing dates that antedate the §102(e) filing date and publication dates of Hofmann '493 and '904. Thus, neither Hofmann '493 nor '904 qualify as prior art as to this application and therefore, Applicants believe that the rejections based thereon should be withdrawn.

Accordingly, Applicants believe that claims 1-2, 4-5, 7-12, 14-16 and 18-20 are in a condition for allowance.

Rejection under 35 U.S.C. § 103

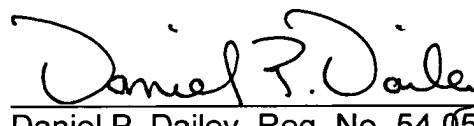
Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,712,384 issued to Abe ("Abe") in view of Hofmann '904. In view of the remarks contained herein, Applicants respectfully submit that the rejection of claim 17 is traversed.

As discussed in the foregoing paragraph, Hofmann '904 does not qualify as prior art as to this application and thus, the rejection based on the combination of Hofmann '904 and Abe should be withdrawn. Accordingly, Applicants believe that claim 17 is in a condition for allowance.

Conclusion

In view of the above remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,



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